

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: By **CHAIRMAN JOE BARNETT**, on February 16, 1999 at 3:00 P.M., in Room 437 Capitol.

ROLL CALL

Members Present:

Rep. Joe Barnett, Chairman (R)
Rep. John L. Holden, Vice Chairman (R)
Rep. Ralph Lenhart, Vice Chairman (D)
Rep. Darrel Adams (R)
Rep. Paul Clark (D)
Rep. Rick Dale (R)
Rep. Bill Eggers (D)
Rep. Kathleen Galvin-Halcro (D)
Rep. Mary Anne Guggenheim (D)
Rep. Donald L. Hedges (R)
Rep. Verdell Jackson (R)
Rep. Rick Jore (R)
Rep. Monica Lindeen (D)
Rep. Gay Ann Masolo (R)
Rep. Sam Rose (R)
Rep. Brennan Ryan (D)
Rep. Frank Smith (D)
Rep. Bob Story (R)
Rep. Bill Thomas (R)
Rep. Cliff Trexler (R)

Members Excused: None.

Members Absent: None.

Staff Present: Joyce Bankhead, Committee Secretary
Todd Everts, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 491, HB 499, HB 503,
HB 531, HB 577, HJR 27
Posted 2/13/99

Executive Action: HB 345, HB 373, HB 453,
HB 463, HB 464, HB 465,
HB 466, HB 491, HB 499,
HB 503, HB 531, HB 577,
HJR 27.

HEARING ON HB 491

Opening Statement by Sponsor:

Rep. Paul Clark, HD 72.

{Tape : 1; Side : A; Approx. Time Counter : 3.3 - 9.9}

Proponents' Testimony:

Jim Posewitz **EXHIBIT**(agh38a01)

{Tape : 1; Side : A; Approx. Time Counter : 9.9 - 12.3}

Dino, Fanelli, MT Bowhunters Assoc.

EXHIBIT(agh38a02)**EXHIBIT**(agh38a03)

EXHIBIT(agh38a04)**EXHIBIT**(agh38a05)

{Tape : 1; Side : A; Approx. Time Counter : 12.3 - 14.2}

Stan Frasier, Pres. MT Wildlife Fed.

{Tape : 1; Side : A; Approx. Time Counter : 14.2 - 15.1}

Randy Tocci, concerned sportsman

{Tape : 1; Side : A; Approx. Time Counter : 15.1 - 16}

Chris Marchion, Anaconda Sportman's Club

{Tape : 1; Side : A; Approx. Time Counter : 16 - 18.6}

John Kober, MT Wildlife Fed.

{Tape : 1; Side : A; Approx. Time Counter : 18.6 - 19.9}

Opponents' Testimony:

Mark Taylor, MT Alternative Livestock Producers

EXHIBIT(agh38a06)

also testified on behalf of his dad Charles Taylor.

EXHIBIT(agh38a07)

{Tape : 1; Side : A; Approx. Time Counter : 19.9 - 30.7}

Jack Schubarth, Pres. MT Alternative Livestock Producers

EXHIBIT(agh38a08)

{Tape : 1; Side : B; Approx. Time Counter : 0 - 2.1}

Justin Haveman, Ruraltime Ranch

{Tape : 1; Side : B; Approx. Time Counter : 2.1 - 4.2}

Jim Haveman, Manager Flathead Outfitters, Inc.

{Tape : 1; Side : B; Approx. Time Counter : 4.2 - 6.7}

Kim Kofka, Havre

Rod Henrickin, Seeley Lake

Bob Spoklie, Kalispell

Jerry Vanhour

{Tape : 1; Side : B; Approx. Time Counter : 6.7 - 7.8}

Questions from Committee Members and Responses:

Rep. Rose to Clark

{Tape : 1; Side : B; Approx. Time Counter : 7.8 - 10.8}

Rep. Guggenheim to Frasier

{Tape : 1; Side : B; Approx. Time Counter : 10.8 - 11.6}

Reps. Story and Adams to Clark

{Tape : 1; Side : B; Approx. Time Counter : 11.6 - 14.9}

Rep. Thomas to Kober

{Tape : 1; Side : B; Approx. Time Counter : 14.9 - 15.7}

Reps. Guggenheim, Smith and Hedges

{Tape : 1; Side : B; Approx. Time Counter : 15.7 - 22.6}

Closing by the Sponsor:

Rep. Clark closed the Hearing on HB 491.

{Tape : 1; Side : B; Approx. Time Counter : 22.6 - 25.8}

HEARING ON HB 499

Opening Statement by Sponsor:

Rep. Hal Harper, HD 52.

EXHIBIT(agh38a09) **EXHIBIT**(agh38a10) **EXHIBIT**(agh38a11) **EXHIBIT**(agh38a12)

{Tape : 2; Side : A; Approx. Time Counter : 0 - 10.7}

Proponents' Testimony:

Katrina Scheuerman, MT Audubon

{Tape : 2; Side : A; Approx. Time Counter : 10.7 - 11.9}

Cedron Jones, State Trails Advisory Committee

{Tape : 2; Side : A; Approx. Time Counter : 11.9 - 18.5}

Ron DeYong, MT Farmers Union

{Tape : 2; Side : A; Approx. Time Counter : 18.5 - 19.5}

Tom Kilner, self

{Tape : 2; Side : A; Approx. Time Counter : 19.5 - 21.1}

Opponents' Testimony:

Doug Monger, FWP **EXHIBIT**(agh38a13)

{Tape : 2; Side : A; Approx. Time Counter : 21.1 - 28.8}

Dino Fanelli, self from Missoula

{Tape : 2; Side : A; Approx. Time Counter : 28.8 - 29.7}

Randy Tocci, sportsman citizen

{Tape : 2; Side : A; Approx. Time Counter : 29.7 - 30.5}

Ramona Ehnes, Great Falls Tril Bike Riders Assoc.

EXHIBIT(agh38a14)

{Tape : 2; Side : B; Approx. Time Counter : 0 - 5.4}

Doug Abelin, MT Trail Vehicle Riders Assoc. **EXHIBIT**(agh38a15)

{Tape : 2; Side : B; Approx. Time Counter : 5.4 - 7.6}

Bob Gilbert, self and Legislative Chr. MT Weed Control Assoc.

{Tape : 2; Side : B; Approx. Time Counter : 7.6 - 10.6}

Informational Witness:

Dave Burch, Jefferson Co. Weed District Supervisor and MWCA

{Tape : 2; Side : B; Approx. Time Counter : 10.6 - 14.8}

Questions from Committee Members and Responses:

Rep. Lenhart to Harper

{Tape : 2; Side : B; Approx. Time Counter : 14.8 - 17.4}

Rep. Lenhart to Monger

{Tape : 2; Side : B; Approx. Time Counter : 17.4 - 20}

Reps. Holden and Story to Harper

{Tape : 2; Side : B; Approx. Time Counter : 20 - 22.7}

Rep. Story to Burch

{Tape : 2; Side : B; Approx. Time Counter : 22.7 - 24.4}

Rep. Story to Monger

{Tape : 2; Side : B; Approx. Time Counter : 24.4 - 28.8}

Reps. Story, Smith, Guggenheim, and Rose to Monger

{Tape : 3; Side : A; Approx. Time Counter : 0 - 6.7}

Closing by the Sponsor:

Rep. Harper closed the Hearing on HB 499.

{Tape : 3; Side : A; Approx. Time Counter : 6.7 - 10.1}

HEARING ON HB 577

Opening Statement by Sponsor:

Rep. Robert Story, HD 24.

{Tape : 3; Side : A; Approx. Time Counter : 10.1 - 15.5}

Proponents' Testimony:

Leo McDonnell, rancher from Columbus

{Tape : 3; Side : A; Approx. Time Counter : 15.5 - 23.3}

Chuck Rein, rancher from Sweetgrass Co. **EXHIBIT**(agh38a16)

{Tape : 3; Side : A; Approx. Time Counter : 23.3 - 28.8}

Clay Landery, Ag. Loan Officer from Columbus

{Tape : 3; Side : A; Approx. Time Counter : 28.8 - 30.4}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 0.5}

Bob Gilbert, MT Woolgrowers Assn.

{Tape : 3; Side : B; Approx. Time Counter : 0.5 - 2.9}

Candace Payne, WIFE

{Tape : 3; Side : B; Approx. Time Counter : 2.9 - 3.4}

John Youngberg, MT Farm Bureau

also testify for Bob Stephens, MT Grain Growers

{Tape : 3; Side : B; Approx. Time Counter : 3.4 - 3.9}

Ron DeYong, MT Farmers Union

{Tape : 3; Side : B; Approx. Time Counter : 3.9 - 4.5}

Aaron Browning, Northern Plains Resource Council

EXHIBIT(agh38a17)

{Tape : 3; Side : B; Approx. Time Counter : 4.5 - 5.5}

Opponents' Testimony:

Mark Norm, Real Estate and Livestock Broker

{Tape : 3; Side : B; Approx. Time Counter : 5.5 - 7.2}

Questions from Committee Members and Responses:

Reps. Holden and Rose to McDonnell

{Tape : 3; Side : B; Approx. Time Counter : 7.2 - 10.3}

Rep. Holden to Story refer to Lee Boyer, Dept. of Ag.

{Tape : 3; Side : B; Approx. Time Counter : 10.3 - 11.4}

Reps. Jackson and Barnett to Story

{Tape : 3; Side : B; Approx. Time Counter : 11.4 - 12.7}

Closing by the Sponsor:

Rep. Story closed the Hearing on HB 577.

{Tape : 3; Side : B; Approx. Time Counter : 12.7 - 16.4}

HEARING ON HJR 27

Opening Statement by Sponsor:

Rep. Robert Story, HD 24.

{Tape : 3; Side : B; Approx. Time Counter : 16.4 - 21.5}

Proponents' Testimony:

Mike Murphy, MT Water Resource Assn.

{Tape : 3; Side : B; Approx. Time Counter : 21.5 - 26.7}

John Youngberg, MT Farm Bureau

{Tape : 3; Side : B; Approx. Time Counter : 26.7 - 27.3}

Gary Wiens, MT Elec. Co-ops Assn.

{Tape : 3; Side : B; Approx. Time Counter : 27.3 - 27.6}

Opponents' Testimony:

NONE

{Tape : 3; Side : B; Approx. Time Counter : 27.6 - 27.7}

Questions from Committee Members and Responses:

NONE

{Tape : 3; Side : B; Approx. Time Counter : 27.7 - 28}

Closing by the Sponsor:

Rep. Story closed Hearing on HJR 27.

{Tape : 3; Side : B; Approx. Time Counter : 28 - 28.2}

HEARING ON HB 531

Opening Statement by Sponsor:

Rep. Kim Gillan, HD 11.

{Tape : 4; Side : A; Approx. Time Counter : 0 - 3.2}

Proponents' Testimony:

NONE

{Tape : 4; Side : A; Approx. Time Counter : 3.2 - 3.3}

Opponents' Testimony:

NONE

{Tape : 4; Side : A; Approx. Time Counter : 3.3 - 3.4}

Questions from Committee Members and Responses:

Reps. Thomas and Rose to Gillan

{Tape : 4; Side : A; Approx. Time Counter : 3.4 - 5.6}

Closing by the Sponsor:

Rep. Gillan closed the Hearing on HB 531.

{Tape : 4; Side : A; Approx. Time Counter : 5.6 - 5.8}

EXECUTIVE ACTION ON HJR 27

Motion/Vote: REP. ROSE moved that HJR 27 DO PASS. Motion carried 19-0.

{Tape : 4; Side : A; Approx. Time Counter : 5.8 - 7.7}

EXECUTIVE ACTION ON HB 577

Motion: REP. JACKSON moved that HB 577 DO PASS with technical amendments.

Discussion: Reps. Rose and Barnett discussed the bill going the appropriations. Todd Everts pointed out a technical change in the word agricultural to agriculture. Reps. Jore, Story, and Thomas discuss.

Vote: Motion carried 17-2 with Galvin-Halcro and Jore voting no.
{Tape : 4; Side : A; Approx. Time Counter : 7.7 - 13.7}

HEARING ON HB 503

Opening Statement by Sponsor:

Rep. Paul Sliter, HD 76.

{Tape : 4; Side : A; Approx. Time Counter : 13.7 - 22.2}

Proponents' Testimony:

NONE

{Tape : 4; Side : A; Approx. Time Counter : 22.2 - 22.3}

Opponents' Testimony:

NONE

{Tape : 4; Side : A; Approx. Time Counter : 22.3 - 22.4}

Informational Testimony:

John Youngberg

{Tape : 4; Side : A; Approx. Time Counter : 22.4 - 23.7}

Jim Peterson, MT Stockgrowers

{Tape : 4; Side : A; Approx. Time Counter : 23.7 - 24.8}

Questions from Committee Members and Responses:

Reps. Trexler, Story, Adams to Sliter.

{Tape : 4; Side : A; Approx. Time Counter : 24.8 - 30.7}

Reps. Rose, Hedges, Lindeen, Thomas, Jackson and Trexler to Sliter

{Tape : 4; Side : B; Approx. Time Counter : 0 - 6.7}

Reps. Trexler and Story to Mark Bridges, Acting Director DoL

{Tape : 4; Side : B; Approx. Time Counter : 6.7 - 14.2}

Closing by the Sponsor:

Rep. Sliter closed the Hearing on HB 503.

{Tape : 4; Side : B; Approx. Time Counter : 14.2 - 15.7}

EXECUTIVE ACTION ON HB 503

Motion: REP. STORY moved that HB 503 DO PASS.

Discussion:

Reps. Hedges, Story, Rose, Ryan, Galvin-Halcro, Thomas, Dale, and Trexler.

Substitute Motion/Vote: REP. ROSE made a substitute motion that HB 503 BE TABLED. Substitute motion failed 8-11 with Adams, Hedges, Jackson, Rose, Smith, Story, Trexler, and Barnett voting aye.

{Tape : 4; Side : B; Approx. Time Counter : 15.7 - 24.4}

Motion/Vote: REP. STORY moved that HB 503 DO PASS. Motion carried 11-8 with Adams, Hedges, Jackson, Rose, Smith, Story, Trexler, and Barnett voting no.

{Tape : 4; Side : B; Approx. Time Counter : 24.4 - 25}

EXECUTIVE ACTION ON HB 531

Motion/Vote: REP. THOMAS moved that HB 531 DO PASS. Motion carried 17-2 with Jore and Story voting no.

{Tape : 4; Side : B; Approx. Time Counter : 25 - 26.8}

EXECUTIVE ACTION ON HB 499

Motion: REP. LINDEEN moved that HB 499 DO PASS.

Discussion:

Reps. Story and Lenhart.

{Tape : 4; Side : B; Approx. Time Counter : 26.8 - 28.7}

{Tape : 5; Side : A; Approx. Time Counter : 0 - 0.2}

Motion: REP. LINDEEN moved that HB 499 BE AMENDED.

Discussion: Todd Everts explained the amendments.

EXHIBIT (agh38a18)

Reps. Jackson, and Story. Todd Everts explained the trails and trespass. Rep. Rose asked on Federal Lands.

Vote: Motion carried 19-0.

{Tape : 5; Side : A; Approx. Time Counter : 0.2 - 7}

Motion: REP. TREXLER moved that HB 499 DO PASS AS AMENDED.

Discussion: Reps. Thomas, Story, Lindeen, Trexler, Hedges, and Rose.

Vote: Motion carried 13-6 with Adams, Hedges, Jackson, Jore, Smith, and Story voting no.

{Tape : 5; Side : A; Approx. Time Counter : 7 - 17.7}

EXECUTIVE ACTION ON HB 453

Motion/Vote: REP. HOLDEN moved that HB 453 BE TABLED. Motion carried 15-4 with Clark, Guggenheim, Ryan, and Lenhart voting no.

{Tape : 5; Side : A; Approx. Time Counter : 17.7 - 20}

EXECUTIVE ACTION ON HB 463, HB 464, HB 465, HB 466

Motion/Vote: REP. HEDGES moved that HB 463, HB 464, HB 465, HB 466 BE TABLED. Motion carried 18-1 with Clark voting no.

{Tape : 5; Side : A; Approx. Time Counter : 20 - 23}

EXECUTIVE ACTION ON HB 491

Motion: REP. ADAMS moved that HB 491 BE TABLED.

Discussion: Reps. Dale, Story, Jore, Lindeen, and Rose.

Vote: Motion carried 17-2 with Clark and Guggenheim voting no.

{Tape : 5; Side : A; Approx. Time Counter : 23 - 28.7}

EXECUTIVE ACTION ON HB 373

Motion: REP. STORY moved that HB 373 DO PASS.

Discussion: Reps. Story, Hedges, and Rose.

Motion: REP. HEDGES moved that HB 373 BE AMENDED.

EXHIBIT(agh38a19)

Discussion: Reps. Rose, Barnett, Lindeen, Thomas, Hedges, Story, and Jore.

Vote: Motion failed 17-2 with Hedges and Rose voting aye.

{Tape : 5; Side : A; Approx. Time Counter : 28.7 - 30.4}

{Tape : 5; Side : B; Approx. Time Counter : 0 - 14.1}

Motion/Vote: REP. STORY moved that HB 373 DO PASS. Motion carried 18-1 with Hedges voting no.

{Tape : 5; Side : B; Approx. Time Counter : 14.1 - 14.7}

EXECUTIVE ACTION ON HB 345

Motion/Vote: REP. STORY moved that HB 345 BE taken of the TABLE. Motion carried 13-6 with Adams, Dale, Hedges, Jackson, Jore, and Smith voting no.

{Tape : 5; Side : B; Approx. Time Counter : 14.7 - 16.3}

Motion: REP. STORY moved that HB 345 DO PASS.

Discussion: Reps. Rose, Hedges, Holden, Dale, and Trexler.

Vote: Motion carried 15-4 with Adams, Hedges, Jackson, and Jore voting no.

{Tape : 5; Side : B; Approx. Time Counter : 16.3 - 24}

ADJOURNMENT

Adjournment: 7:30 P.M.

REP. JOE BARNETT, Chairman

JOYCE BANKHEAD, Secretary

JB/JB

EXHIBIT (agh38aad)